

With respect to the objection to the insertion of "bars" and "blocks" into page 4 of the specification and claims 15 and 16 as set out in paragraph "2." of the Office Action we submit herewith the declaration of Mr. Guy A. Brada, a man skilled in the forging industry, which includes electric furnace steelmaking, and the products thereof, which establishes that the specification, as filed, discloses said terminology to a man skilled in the art. We particularly direct the Examiner's attention to paragraph 7. of said declaration in which Mr. Brada states:

"In my opinion viewing the application as a man skilled in the art, the original text of the specification unmistakably conveys to me the descriptive word "bars" in line 3. and "block" in line 6. Specifically, the application is directed to tool steels, and that term instantly connotes material widely and conventionally understood by all persons in the industry to mean steel in the form of bars, rods and blocks."

He then goes on to mention the interchangeability of the words bars and rods and the specific reference to blocks by reference to the phrase, "By the same token", all taken in the context of length to width ratios. In summary, the concept of the presence of bars and blocks as the subject product with which the invention is concerned is clearly disclosed to a man skilled in the art explicitly and/or implicitly; no new matter has been added. Hence withdrawal of the objection in paragraph 2. is respectfully submitted to be appropriate.

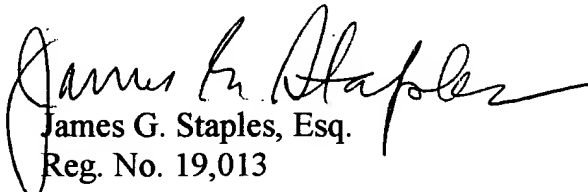
With respect to the comment directed to "maintaining", we believe the condition explicitly described by the word is so clear as not to require the effort of a further

declaration. In essence, tool steels are always treated in a stationary condition; by nature they are too big and bulky and difficult to handle to treat in any other way, and no reason to treat a 100 pound or 10,000 pound bar, rod or block in any condition except in a stationary condition can be envisioned. As before, the concept of the workpieces being treated in a stationary condition is so clearly apparent to a man skilled in the art reading the specification that, to the scrivener writing a description of the invention, the need to use the word would not occur since it is inevitably assumed. Hence the withdrawal of the objection in paragraph 2. is respectfully submitted to be appropriate.

By like token, the 35 U.S.C. 112 rejection has been overcome.

We have amended claim 18 in conformity with the Examiner's helpful suggestion which we acknowledge with appreciation. A formal notice of allowance is now respectfully requested.

Respectfully submitted,

  
James G. Staples, Esq.  
Reg. No. 19,013

A. Finkl & Sons Co.  
2011 North Southport Avenue  
Chicago, IL 60614  
(773) 975-2235  
(773) 975-2636 (fax)